



## Europaneews

### Regulatory & Governmental Affairs

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## / Content

Law.....	1
Politics/General .....	2
Decisions.....	3
From the OJEU.....	4
Brussels intern .....	4
Contact .....	5

## / Main Topics

- General    ■ Bank/Insurance/Tax    ■ Enviroment    ■ Media/Telecom    ■ Competition/SA
- Healthcare    ■ Aviation/Transport    ■ Foreign Trade    ■ Energy    ■ Compliance    ■ Food/Tobacco

## / Law

### ■ Anti-coercion Instrument

The EC adopted its proposal for an EU anti-coercion instrument. This framework regulation will complement the existing toolbox, providing the Commission with an additional legal instrument to use as a deterrent against economic coercion by third countries. The proposal now needs to be discussed and negotiated by the two co-legislators, the European Parliament and the Council. During the next eight weeks interested parties can submit their comments on the proposal.

[EC proposal – Annexes – EC Communication](#)

### ■ Antitrust – Platform Work

The EC launched a consultation on the draft Guidelines on the application of EU competition law to collective agreements regarding the working conditions of solo self-employed people providing services. Contributions

can be submitted until 24 February. The Commission will then assess the comments and publish the final guidelines in the second quarter of 2022. Together with the consultation, the Commission released a proposal to improve the working conditions in platforms.

[EC consultation page – EC dedicated page](#)

### ■ State Aid – Risk Finance Guidelines

The EC adopted revised Guidelines on State aid to promote risk finance investments, which will apply from 1 January 2022. Among other things, the new guidelines introduce simplified requirements for the assessment of schemes targeting start-ups and SMEs.

[Guidelines Risk](#)

## ■ State Aid – Short-term Export Credit Insurance

The EC adopted a revised Communication on Short-term export credit insurance, which will enter into force on 1 January 2022 with some adjustment to enable Member States to provide public insurance to European exporters.

[EC dedicated page](#)

## ■ Data Act

The EC published the results of the public consultation on the upcoming initiative of the European Data Strategy, the so-called Data Act. The consultation ran from June to September and the contributions received will feed into the impact assessment of the legislative initiative, which is expected for February.

[Summary report](#)

## ■ Roaming

The European Parliament and the Council reached a political agreement on the new Roaming Regulation, which will prolong until 2032 the existing system. The new regulation will enter into force on 1 July 2022.

[Current Roaming Regulation](#)

## ■ VAT

The Council adopted its general approach on the proposal to amend Directive 2006/112/EC as regards rates of value-added tax for goods and services. The new rules will update the list of goods and services to which all Member States can apply reduced VAT rates and remove by 2030 the possibility for Member States to apply reduced rates and exemptions. The text will now be sent to the European Parliament for its consultation. Once adopted, the new directive will come into force 20 days after its publication in the EU Official Journal.

[Council general approach](#)

## ■ Anti-dumping

Commission Implementing Regulation of 7 December 2021 imposing a definitive anti-dumping duty on imports of aluminium converter foil originating in the People's Republic of China has been published in the EU Official Journal.

[Commission Implementing Regulation 2021/2170](#)

## ■ RAPEX Weekly Report

The EC published its weekly report for all dangerous consumer products, with the exception of food, pharmaceutical and medical devices.

[Weekly Overview Report](#)

# / Politics/General

## ■ Joint Technology Competition Policy Dialogue

EU Commissioner Vestager and the Head of the US Federal Trade Commission launched the Joint Technology Competition Policy Dialogue, with the aim to share insights and experiences and to strengthen coordination on policy and enforcement.

[Joint Statement](#)

## ■ Crowdfunding Service Providers

The European Banking Authority launched a consultation on the draft Regulatory Technical Standards, particularly on credit scoring and loan pricing disclosure, credit risk assessment and risk management requirements for Crowdfunding Service Providers. Contributions can be submitted until 8 March.

[EBA consultation paper](#)

# / Decisions

## **EC Decision of 10 December – Ethanol benchmarks**

### **■ Wholesale of solid, liquid and gaseous fuels and related products**

The EC fined Abengoa S.A. and its subsidiary Abengoa Bioenergia S.A. for participating in a cartel concerning the wholesale price formation mechanism in the European ethanol market.

[Case information](#)

## **EC Decision of 09 December – Advent / Eurazeo / Protel**

### **■ Computer programming, consultancy and related activities**

The EC approved the acquisition of joint control of Protel hotelsoftware GmbH by Advent International Corporation and Eurazeo SE.

[Case information](#)

## **EC Decision of 09 December – Insight / Vector Capital / Iris Holdings JV**

### **■ Data processing; web portals; software publishing; computer programming and related activities**

The EC approved the acquisition of joint control of a newly created joint venture, Iris Holdings JV, by Insight Venture Management LLC and Vector CM Holdings L.P.

[Case information](#)

## **EC Decision of 08 December – EQT / H&F / Zooplus**

### **■ Retail sale of flowers, plants, seeds, fertilisers, pet animals and pet food in specialised stores**

The EC approved the acquisition of joint control of Zooplus AG by EQT Fund Management S.a.r.l and Hellman & Friedman LLC.

[Case information](#)

## **EC Decision of 07 December – Phillips 66 / Fortress Investment Group / Western Oil**

### **■ Retail sale of automotive fuel in specialised stores**

The EC approved the acquisition of joint control of Western Oil by Phillips 66 and Fortress Investment Group.

[Case information](#)

## **EC Decision of 07 December – NN / MetLife Greece / MetLife Poland**

### **■ Fund management activities; life insurance; pension funding**

The EC approved the acquisition of sole control of MetLife Greece and of MetLife Poland by NN Group N.V.

[Case information](#)

## **EC Decision of 07 December – Permira / Thoma Bravo / Motus**

### **■ Business support service activities n.e.c.; software publishing**

The EC approved the acquisition of joint control of Motus Group LLC by Thoma Bravo L.P. and by Permira Holdings Limited.

[Case information](#)

## **EC Decision of 06 December – CVC / Panzani**

### **■ Manufacture of grain mill products; manufacture of condiments and seasonings**

The EC approved the acquisition of sole control of Panzani SAS by CVC Partners SICAV-FIS S.A.

[Case information](#)

## **EC Decision of 06 December – Baxter / Hill-Rom**

### **■ Manufacture of medical and dental instruments and supplies**

The EC approved the acquisition of sole control of Hill-Rom Holdings Inc. by Baxter International Inc.

[Case information](#)

## EC Decision of 06 December – PTTGC / Allnex

### ■ Manufacture of basic chemicals, fertilisers and nitrogen compounds, plastics and synthetic rubber in primary forms

The EC approved the acquisition of sole control of Allnex Holding GmbH by PTT Global Chemical Public Company Limited (“PTTGC”).

[Case information](#)

## EC Decision of 06 December – Cogenio / Avio / Termica Colleferro

### ■ Production of electricity

The EC approved the acquisition of joint control of Termica Colleferro Spa by Cogenio Srl and Avio Spa.

[Case information](#)

## / From the OJEU

### ■ Non-opposition to concentrations

Non-opposition to the notified concentration WP / AP / T-Mobile Netherlands – Case M.10495 has been published.

[Document 2021/C 497/03 – Case information](#)

Non-opposition to the notified concentration Cremer / Clyde Investments / Cremer Sustainable Foods JV – Case M.10496 has been published.

[Document 2021/C 492/02 – Case information](#)

Non-opposition to the notified concentration KPS / Crown European Tinplate – Case M.10284 has been published.

[Document 2021/C 489/01 – Case information](#)

### ■ Prior notification of concentrations

Prior notification of the concentration GIP / Meridiam / New Suez – Case M.10396 has been published.

[Document 2021/C 495/05 – Case information](#)

Prior notification of the concentration Blackstone / Interplex – Case M.10519 has been published.

[Document 2021/C 492/04 – Case information](#)

Prior notification of the concentration Bellis / KKR / Jaja – Case M.10556 has been published.

[Document 2021/C 489/04 – Case information](#)

Prior notification of the concentration Prince / Ferro – Case M.10341 has been published.

[Document 2021/C 489/03 – Case information](#)

## / Brussels intern

### ■ ■ Alternative Fuels Infrastructure

At the Transport Council meeting of 9 December, EU Ministers held a policy debate on the draft regulation on the deployment of alternative fuels infrastructure (AFIR). In general Ministers expressed support for the objectives of the proposal, however some of them underlined the need to have more flexibility and to take account of national specificities such as population,

surface area and traffic density, instead of a one size approach. EU Ministers also underlined the importance of having accompanying measures and incentives at the beginning, without hampering private investment.

[Presidency progress report](#)

The information in this newsletter does not replace advice in any particular case.

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## ■ Resilience of Critical Entities

The Council is expected to formally adopt on 20 December the general approach on the proposal for a directive on the resilience of critical entities, paving the way for inter-institutional negotiations with the European Parliament to start. The directive aims to help strengthen the level of protection and resilience of

infrastructure that provide fundamental services for social and economic activities, updating the rules in place in light of the new challenges. The proposal covers critical entities in different sectors such as energy, transport, banking, digital infrastructure, health, waste and space.

[Draft general approach](#)

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